



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

April 2, 2024

**BY ECF**

Honorable Lewis J. Liman  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, NY 10007

Re: *Chan v. U.S. Dep't of Transp.*, 23 Civ. 10365 (LJL)

Dear Judge Liman:

We write on behalf of Defendants United States Department of Transportation (“DOT”), the Federal Highway Administration (“FHWA”), Shailen Bhatt, in his official capacity as Administrator of the FHWA, and Richard J. Marquise, in his official capacity as Division Administrator of the New York Division of FHWA (collectively the “Federal Defendants”) to correct an inadvertent citation error in the Memorandum of Law in Support of Federal Defendants’ Cross-Motion for Summary Judgment and in Opposition to Plaintiffs’ Motion for Summary Judgement, ECF No. 65.

On page 28 of the Federal Defendants’ brief, the following citation should be corrected:

*see also Ctr. for Biological Diversity v. U.S. Dep’t of the Interior*, 72 F.4th 1166, 1188 (10th Cir. 2023) (otherwise, “[t]he outcome would be governed by a ‘heckler’s veto.’”).

to the following:

*see also State of N.C. v. F.A.A.*, 957 F.2d 1125, 1133–34 (4th Cir. 1992) (otherwise, “[t]he outcome would be governed by a ‘heckler’s veto.’”).

We apologize for any inconvenience that this error may have caused the Court or the other parties.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/ Dominika Tarczynska  
ZACHARY BANNON  
DOMINIKA TARCZYNSKA  
Assistant United States Attorney  
Tel. (212) 637-2728/2748  
Fax (212) 637-2686  
zachary.bannon@usdoj.gov  
dominika.tarczynska@usdoj.gov  
*Attorney for Defendant*